

GREGORY LASKY, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BLUFFTON HOTEL, LLC, )  
 )  
 Defendant. )  
 )

Civil Action No. 9:18-cv-474-RMG

**NOTICE OF REMOVAL**

YOU WILL PLEASE TAKE NOTICE that the Defendant, Bluffton Hotel, LLC, removes the above-captioned case from the Circuit Court of Beaufort County, South Carolina, into the United States District Court, District of South Carolina, Beaufort Division. This removal is proper on the following grounds:

2. “Any civil action brought in a State court of which the District Courts of the United States have original jurisdiction” may be removed to federal court. 28 U.S.C. § 1441(a). Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over this civil action because it arises under the Constitution, laws, or treaties of the United States. Plaintiff’s Complaint is brought pursuant to the federal Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. (“ADA”). See Plaintiff’s Complaint. Federal court jurisdiction to hear actions pursuant to the ADA exists under the federal question jurisdiction statute, 28 U.S.C. § 1331. Accordingly, this

Court has federal jurisdiction over these claims and the Defendant is entitled to remove the action.

3. This action was commenced by service of the Summons and Complaint, attached hereto as **Exhibit A**, effectuated upon information and belief by Certified Mail on January 20, 2018. Pursuant to 28 U.S.C. § 1446, this Notice of Removal is filed within thirty (30) days of service upon the Defendant of the initial pleadings setting forth the claim upon which relief is requested. This Defendant will serve an Answer or responsive pleading as provided by law.

4. Venue is proper in the United States District Court for the District of South Carolina, Beaufort Division, because the Beaufort County Court of Common Pleas sits within this federal district and division and the alleged acts or omissions allegedly occurred in this District. See 28 U.S.C. § 1446(a); 28 U.S.C. § 1391.

5. This Notice of Removal will promptly be served on Plaintiff, and notice of its filing will be promptly filed with the, Clerk of Court of Beaufort County, pursuant to 28 U.S.C. § 1446(d). The Notice of Filing the Notice of Removal is attached hereto as **Exhibit B**.

6. The Defendant hereby reserves any and all rights to assert any defenses to Plaintiff's Complaint and to amend or supplement this Notice of Removal.

WHEREFORE, this Defendant gives notice that the aforesaid action is removed from the Circuit Court of Beaufort County, State of South Carolina, and to this Court for trial and determination.

McANGUS GOUDELOCK & COURIE, L.L.C.

s/O. Carlisle Edwards, Jr.\_\_\_\_\_

O. Carlisle Edwards, Jr.

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February 19, 2018